IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.R.UDAYABHANU

THURSDAY, THE 26TH JULY 2007 / 4TH SRAVANA 1929

Crl.Rev.Pet.No. 844 of 2000()

CRA.234/1994 of II ADDL. SESSIONS COURT, TRIVANDRUM
CC.237/1992 of JUDL. MAGISTRATE OF FIRST CLASS-IV (MOBILE), TRIVANDRUM .

.....

REVN. PETITIONER: APPELLANT/ ACCUSED

SIVANANDAN, VICTORY SAW MILL,
SANTHANMOOLA, MALAYINKIL,
THIRUVANANTHAPURAM.

BY ADV. SRI.P.RAMAKRISHNAN NAIR

RESPONDENTS: RESPONDENTS/ COMPLAINANT & STATE
---

1. K.ACHUTHANKUTTY,
S.K.P. ENGINEERING WORK SHOP,
MANACAUD, THIRUVANANTHAPURAM.

2. STATE REP.BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

ADDL. R3 TO R5 ARE IMPLEADED

3. PRAMEELA .S., AGED 53 W/O. LATE
ACHUTHANKUTTY.K., 'VINISHYAM'
T.C. 40/1296, MANACAUD P.O.,
THIRUVANANTHAPURAM.

4. SHYAMKRISHNAN AGED 26, S/O. LATE
ACHUTHANKUTTY.K. 'VINISHYAM' T.C. 40/1296,
MANACAUDP.O., THIRUVANANTHAPURAM.

CRL.RP. NO.844/2000

5. VINITHA, AGED 22, D/O. ACHUTHANKUTTY.K 'VINISHYAM' T.C. NO.40/1296 MANACAUD PO. THIRUVANANTHAPURAM.

ADDL.R3 TO R5 ARE IMPLEADED AS PER ORDER DT.26.07.2007 IN CRL.RP. 844/2000.

BY ADV. SRI.D.KISHORE
PUBLIC PROSECUTOR SRI.AMJAD ALI

THIS CRIMINAL REVISION PETITION HAVING BEEN FINALLY HEARD ON 26/07/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

CRL.RP. NO.844/2000

ORDER ON CRL.MP. 4477/2000 IN CRL.RP. 844/2000

DISMISSED

26.07.2007 **SD/- K.R.UDAYABHANU, JUDGE**

/TRUE COPY/

P.A. TO JUDGE

tss

K.R.UDAYABHANU, J

Crl.R.P.No.844 of 2000

Dated this the 26th day of July, 2007

O R D E R

The revision petitioner stands convicted for the offence under Section 138 of the Negotiable Instruments Act and sentenced to undergo R.I. for one year and to pay a fine of Rs.5,000/- and in default, to undergo simple imprisonment for three months and also to pay a compensation of Rs.25,000/- and in default, to undergo simple imprisonment for three months and also Rs.1,000/- as costs.

2. Counsel for the revision petitioner has only pleaded for modification of the sentence and time to pay the amount of compensation. In the circumstances, the sentence is modified to imprisonment till the rising of the court and to pay a compensation of Rs.20,000/- to the complainant and in default, to undergo simple imprisonment for three months. The order as to costs is upheld. Revision petitioner is granted three months' time to pay the amount of compensation. He shall appear before the Judicial First Class Magistrate Court-IV (Mobile Court), Thiruvananthapuram on 26.11.2007 to receive the sentence.

The criminal revision petition is disposed of as above.

K.R.UDAYABHANU, JUDGE

csl

K.R.UDAYABHANU, J

Crl.R.P.No.844/2000

ORDER

26th July 2007